

**United States District Court**  
**EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

ARUBA PETROLEUM, INC.

v.

FCS ADVISORS, INC., ET AL.

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§  
§

Case No. 4:12cv118  
Judge Schell/Judge Mazzant

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

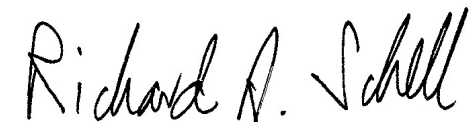
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 5, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Motion of Aruba and API for Judgment on the Pleadings (Dkt. #64) be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that the Motion of Aruba and API for Judgment on the Pleadings (Dkt. #64) is **DENIED**.

**It is SO ORDERED.**

**SIGNED this the 27th day of September, 2013.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE